

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Frank W. Koehler, and Darlene Kennedy,
individually and on behalf of similarly
situated workers,

Plaintiffs,

V.

First Student Management LLC, and
First Student Inc. and John-Doe Corporations 1-10,

Defendants.

DKT: 1:13-CV-01744(JEI) JS)

**ORDER GRANTING FINAL APPROVAL OF RULE 23 CLASS ACTION, FLSA
COLLECTIVE ACTION, AND PROPOSED SETTLEMENT OF THE CLASS ACTION
AND COLLECTIVE ACTION AND DISMISSAL WITH PREJUDICE**

AND NOW, on this 20th day of October 2014, upon consideration of the parties' Joint Motion for Final Approval of Collective and Class Settlement and Final Certification of Settlement Class (Docket #94); having reviewed the parties' submissions; having noted that no class members have objected to the terms of the settlement, having been given adequate notice and time to do so; having conducted a Final Fairness Hearing on October 14, 2014; for the reasons set forth in an Opinion filed on August 6, 2014 (Docket #100), and for such further reasons set forth on the record during the Final Fairness Hearing; and for good cause appearing:

IT IS:

1. ORDERED that the proposed class, defined as "all persons employed by First Student

Management LLC and/or First Student, Inc. at the Lawnside, Burlington, Berlin, Delran, Chatham, or Cologne facilities as a driver or aide (a.k.a. monitor)” at any time from March 21, 2011 to December 31, 2013, is **CERTIFIED** pursuant to Federal Rules of Civil Procedure 23(a) and 23(b), and is **APPROVED** to proceed pursuant to 29 U.S.C. § 216(b) under the Fair Labor Standards Act; Defendants and all class members who have not opted out are bound by the Settlement Agreement;

2. ORDERED that the Stipulation and Settlement Agreement ("Settlement Agreement"), attached to the Joint Motion For Preliminary Approval of Collective and Class Settlement as Exhibit A (Docket #94), is fair, reasonable and adequate and is hereby given final **APPROVAL**;
3. ORDERED that Class Counsels' fee application for reasonable fees and costs is approved and Class Counsel are hereby **AWARDED** \$462,000.00 in fees and costs;
4. ORDERED that all claims under New Jersey's Wage and Hour Law are hereby **DISMISSED WITH PREJUDICE** as to any and all class members who do not timely opt-out from the settlement and they shall be barred from prosecuting any and all claims under New Jersey's Wage and Hour Law for claims that accrued on or before December 31, 2013; and
5. ORDERED that Class Counsel is directed to file with the Court an application to disburse funds pursuant to the Settlement Agreement on or before November 21, 2014.

6. ORDERED that this case shall be marked CLOSED by the Clerk and shall be dismissed with prejudice.



THE HONORABLE JOSEPH E. IRENAS, S.U.S.D.J.

Dated: October 20th, 2014

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